

REMARKS

This amendment is offered in response to the Office Action of March 22, 2007. Upon entry of this amendment, Applicant respectfully requests reconsideration of the above referenced application. Claims 1-18 remain in the application. Claims 1, 2, 7, 8, 13 and 14 have been amended.

Specification Objections

The specification was objected to for using trademarks and for not including a brief summary. In response, Applicant respectfully points out the permissive language in the rules. For example, there is no requirement that a specification include a brief summary of the invention. Instead, to the extent a summary is included, the rule states that it should, not shall or must, appear in the order mentioned. Since “should” does not constitute a requirement, Applicant respectfully requests the objections to the specification be withdrawn.

Claim Rejections

Claims 1-18 were provisionally rejected on the ground of nonstatutory double patenting over claims 1-26 of copending Application No. 10/365,230. In response, Applicant intends to submit a terminal disclaimer if there are allowable claims in the present application.

Claims 1-18 were rejected under 35 U.S.C. 112, second paragraph, for using a trademark as a limitation. In response, Applicant has amended claims 1, 2, 7, 8, 13 and 14 to remove the trademark. Accordingly, Applicant respectfully requests the §112 rejection of claims 1-18 be withdrawn.

Claims 1, 3, 7, 9, 13 and 15 were rejected under 35 U.S.C. 102(a) as being anticipated by Microsoft Corporation, “Hosting devices on Windows XP using Universal Plug and Play,” 5-2002 (*Microsoft*). In response, Applicant has amended independent claims 1, 7 and 13.

Microsoft is generally related to an overview of UPnP.

In contradistinction to *Microsoft*, claim 1, as amended, includes:

generating custom source code, tailored to the device, without utilizing a control point stack,

Microsoft not only does not teach this element of claim 1, but in fact teaches away from claim 1, by teaching the use of the control point API (see introduction). In this sense, *Microsoft* describes a legacy control point contemplated by the background of the present application.

Furthermore, Examiner has not adequately pointed out, and Applicant is unable to find, where in the *Microsoft* reference generating custom source code to implement a control point is taught or suggested.

For the above reasons, Applicant respectfully asserts that claim 1 is not anticipated by *Microsoft*. Accordingly, Applicant respectfully requests that the §102(a) rejection of claim 1 be withdrawn.

Applicant notes that independent claims 7 and 13 include claim language similar to claim 1 and are likewise not rendered anticipated by *Microsoft*. Accordingly, Applicant respectfully requests the §102(a) rejection of claims 7 and 13 be withdrawn.

Applicant notes that claims 3, 9 and 15 depend from patentable base claims 1, 7 and 13, respectfully, and are therefore patentable at least based upon their dependency. Accordingly, Applicant respectfully requests the §102(a) rejection of claims 3, 9 and 15 be withdrawn.

Claims 2, 4-5, 8, 10-11, 14, and 17-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Microsoft* in view of Aho et al., "Compilers Principles, Techniques, and Tools," 1998 (*Aho*). In response, Applicant respectfully asserts that *Aho* is not cited as curing and does not cure the deficiencies of the cited references as described above. Accordingly,

Applicant respectfully requests that the 103(a) rejections of claims 2, 4-5, 8, 10-11, 14, and 17-18 be withdrawn.

Claims 6, 12 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Microsoft* in view of *Aho* and further in view of *Microsoft2*. In response, Applicant respectfully asserts that *Microsoft2* is not cited as curing and does not cure the deficiencies of the cited references as described above. Accordingly, Applicant respectfully requests that the 103(a) rejections of claims 6, 12 and 16 be withdrawn.

Conclusion

In light of the foregoing arguments, Applicant respectfully submits that claims 1-18 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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